IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.619 OF 2005
IN
WRIT PETITION NO.830 OF 2005

Union of India ..Petitioner.

V/s.

The Customs & Central Excise
Settlement Commission & Ors. ..Respondents.

Mr.R.V.Desai, senior counsel with Mrs.S.V.Bharucha & Parag Vyas for petitioner.

Ms.Aarti Sathe i/b. M.R. Baya for respondents.

CORAM : F.I.REBELLO AND
J.P.DEVADHAR, JJ.

DATED : 30TH AUGUST, 2007.

P.C. :-

Considering the issue involved in the petition, by an order dated 11/4/2005 the petitioner has been asked the deposit the amount of Rs.1.70 crore and the same has been deposited by the revenue. The respondents have applied for withdrawal of the said amount.

2. In our opinion, considering the facts of the case and the issue before this Court, it would not be proper to grant the liberty prayed in the motion. In the light of that, motion rejected.

3. The amount, if not invested be invested and be renewed every year, subject to the final order in the petition.

(J.P.DEVADHAR, J.) **(F.I.REBELL0, J.)**